

ARGUMENTS/REMARKS

Response to rejections

The claims have been amended as indicated above. Claims 1-4 and 9-11 remain for consideration. Claim 1 is an independent method claim, from which claims 2-4 and 9 depend. Claim 10 is an independent system claim, from which claim 11 depends.

Reconsideration is respectfully requested of the rejection of the pending claims under 35 U.S.C. §102(e) as anticipated by Picard (Picard et al, U.S. Patent 6,233,318).

Picard shows a system for accessing voice messages and email messages via a computer connected over the Internet and via telephone. As such, Picard's disclosure is substantially duplicative of the Brunson reference (U.S. Patent 5,647,002) cited by applicant in paragraphs 03 and 04 of the specification. As noted by applicant,

"Brunson discloses a system for synchronizing different types of mailboxes. The Brunson patent describes a synchronizer that synchronizes separate email and voice mail mailboxes.

"The present invention, however, better addresses synchronization concerns by providing an integrated message management system allowing more direct control of the synchronization process."

Brunson, as stated in its abstract, pertains to a system in which

"The content of a pair of mailboxes (21, 31), one of which resides in an e-mail system (29) and the other of which resides in a voice-mail system (39), are automatically synchronized both in message content and in message state by a synchronizer (10), even though messages in the two mailboxes may have different data structures and carry information expressed in different media and having different formats. Synchronization is effected by automatically creating a corresponding message in one mailbox for every message that arrives in the other

mailbox of the mailbox pair. If the corresponding message does not contain all of the information carried by the original message—for example, because some information in the original message is expressed in a medium or has a format that is incompatible, or cannot be made compatible by conversion, with the other system—a partial-copy indication (217) is raised for the corresponding message, and the behavior of synchronization is altered to protect the original message contents.”

Brunson, in col. 1 line 8 to col. 2 line 49, discloses other messaging systems, such as the AT&T Intuity® multi-media messaging system, that handle any combination of voice, fax, text and data components, and further discloses that “various schemes have been proposed for informing the users in a unified manner of the arrival of messages in any of a plurality of messaging systems, and for enabling the users to retrieve messages from a plurality of messaging systems through one of those messaging systems. Illustrative examples of such systems are described in U.S. Pat. Nos. 4,837,798, 4,476,349, 4,646,346 and 4,612,416.” Brunson further discloses, at col. 3 lines 52-59, that in his invention, “The synchronizer also comprises means responsive to a change in state of one stored message of a message pair, for effecting a same said change in state of the other stored message of the message pair. The synchronizer furthermore comprises means responsive to deletion of one stored message of a message pair from one of the mailboxes, for deleting the other stored message of the message pair from the other mailbox.”

Picard, like Brunson and the other prior art cited by Brunson, discloses a system in which email and voice messages (as well as fax and other message formats) can be accessed either over the telephone or via a computer connected to the Internet. In Picard, the messages are assembled at or linked to a central web server accessible by telephone through the PSTN or by computer through an ISP and the Internet, and a message list in the form of a web page (see Fig. 8) accessed by means of a user-specific URL is updated to contain newly received messages by a “refresh” routine (see col. 17 line 8 to col. 18 line 4). Pickard, inasmuch as it is configured as an integrated system with varied access

to a single consolidated message list, says very little about updating the status of messages in one messaging system when they are accessed via another messaging system, e.g., when a voice message is accessed by telephone in a voice mail system, updating the status of the voice mail message as “read” in the status indicator for voice mail messages that is resident in and accessible through an email system. It is respectfully submitted that the passages cited by the examiner as anticipating applicant’s status updating, when reviewed carefully, do not disclose either the context of updating as claimed by applicant, or the updating itself as claimed by applicant.

As shown above in independent claims 1 and 10, the context of updating occurs in voice mail server and email server systems with storage facilities in the voice mail server for voice mail and converted email and retrieval status indicators in the voice mail server for voice message status and converted email status, and storage facilities in the email server for email messages and “voice mail as email” messages and retrieval status indicators in the email server for voice message status and email message status.

With respect to storage and updating in claims 1 and 10, the examiner refers to col. 2 lines 26-33 and col. 7 lines 18-19 as anticipatory. The first passage says

“It is a further object of the present invention to provide message waiting/urgent notifiers when new or urgent messages are deposited in the mailbox *or the message status changes by a simultaneous different connection into the mailbox* such as when a mailbox is accessed by computer and while the computer is logged into the mailbox an access via a telephone interface deletes a message.” (emphasis added)

Read without benefit of applicant’s disclosure, what this passage seems to say is that an “urgent” notifier is provided for a very limited and unusual message status change—a change that occurs during a “simultaneous different connection into the mailbox”. The example of this unusual condition that is given is “when a mailbox is accessed by computer and while the computer is logged into the mailbox an access via a telephone interface deletes a message”. Because the messages are presumably being

collected and stored for one individual subscriber, simultaneous access to the mailbox would seem to signal one of two things warranting an urgent notifier: an error in the system (improper deletion), or unauthorized access (someone other than the subscriber is trying to simultaneously access the mailbox). Nothing in this passage speaks about status changes when there is not a simultaneous different connection into the mailbox. It follows that there is no disclosure of what appears in applicant's claims—the updating of the retrieval status record in one message server after a message was routinely accessed in another message server by the subscriber. Likewise there is no disclosure of retrieval status indicators in the voice mail server for both voice messages and converted email messages, or retrieval status indicators in the email server for both email messages and copied voice mail messages.

The second passage cited by the examiner as support for anticipation says, in context,

“A PC interface according to the present invention provides an inventory much like the message list of e-mail systems. Typically, it includes, for each message: . . . status (new/read, urgent, replied to, forwarded, etc.).”

This passage says nothing about how status indicators are assigned or updated, and because Picard has an integrated system with all forms of access being directed to a single message list on a central server, Picard does not maintain separate status records in an email messaging server and in a voice messaging server that are both updated when a message retrieval status changes as a result of access in either of the two servers.

With respect to anticipation of former claim 8 (the subject matter of which is now in claim 1), the examiner refers to col. 15 line 61 to col. 16 line 8, the salient portion of which says: “When the user's e-mail is stored and supported by another platform the message list can include a *cross notification of the existence* of an e-mail message in the mailbox message list.” (emphasis added) Again, this passage says nothing about updating a status indicator when the subscriber accesses one of the email or voice mail

servers to retrieve the message—it merely suggests notification of the “existence” of a message in another email platform.

From the foregoing discussion it is evident that Picard does not disclose, and thus does not anticipate or make obvious, the subject matter claimed by applicant: A method and system with

- A voice messaging system having a storage facility for voice messages, a status indicator for voice messages, a storage facility for converted email messages stored as voice messages, and a status indicator for converted email messages stored as voice messages.
- An email messaging system having a storage facility for email messages, a status indicator for email messages, a storage facility for voice messages stored as email messages, and a status indicator for voice messages stored as email messages.
- Updating of the retrieval status of the voice message in the voice message status indicator in the voice mail server and in the voice message status indicator in the email server when the subscriber accesses one of the voice mail and email servers to retrieve the voice message.
- Updating of the retrieval status of the email message in the email status indicator in the email server and in the converted email status indicator in the voice mail server when the subscriber accesses one of the email or voice mail servers to retrieve the email message.


For the foregoing reasons, reconsideration and allowance of claims 1-4 and 9-11 are respectfully requested.

If there are any matters which a telephone conference might assist in resolving, the examiner is requested to contact applicant’s attorney at 203-838-8037.

An associate power of attorney to the undersigned is attached, together with a notification of change of correspondence address.

Respectfully,

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